

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

HARRY D. WEIST and
DIANE M. WEIST,

Plaintiffs,

v.

AMENDED ORDER
05-CV-0534A

E.I. DUPONT DE NEMOURS AND
COMPANY, ET AL.,

Defendants.

This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b). On September 7, 2006, defendant E. I. DuPont De Nemours filed a motion for a protective order pursuant to Fed. R. Civ. P. 26(c).

On October 20, 2006, Magistrate Judge Schroeder filed a Decision and Order granting defendant's motion in part. On October 25, 2006, plaintiffs filed an appeal from the Magistrate Judge's Decision and Order. The defendant filed a response on February 15, 2007. Oral argument on the appeal was held on March 1, 2007.

Pursuant to 28 U.S.C. § 636(b)(1)(A), the district court "may reconsider any pretrial matter under this [section] where it has been shown that the magistrate's order is clearly erroneous or contrary to law."

The Court has reviewed the plaintiff's appeal and Magistrate Judge Schroeder's Decision and Order. Upon such review and after hearing argument from counsel, the Court finds that Magistrate Judge Schroeder's Decision and Order is neither clearly erroneous nor contrary to law. This Court has also conducted an in camera review of the unredacted portions of the documents in question and agrees with the Magistrate Judge's determination that the redacted information is neither relevant to the plaintiffs' causes of action nor responsive to their discovery demands.

Accordingly, the Court affirms the Decision and Order and refers this case back to Magistrate Judge Schroeder for further proceedings.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: March 30 , 2007